

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No. 5214 of 2019

Mrs.E.Vijayalakshmi

.. Petitioner

Vs.

1. The Government of Tamil Nadu
Rep.by its Secretary
Home (Transport) Department
Fort St.George
Chennai - 600 009.

2. The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region
Dharmapuri.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on the representation dated 19.06.2017, made by the petitioner.

For Petitioners : M/s.J.Hema Malini

For Respondents : Mr.R.S.Selvam
Government Advocate for R1
Mr.P.Kannan kumar
for R2.

ORDER

The relief sought for in the present writ petition is for a direction to direct the 2nd respondent to consider the representation submitted by the writ petitioner on 19.06.2017.

2. The husband of the writ petitioner was employed in the respondent-Transport Corporation as conductor on 13.04.2017. While he was in service, more specifically, the husband of the writ petitioner met with an accident and died. On account of the

sudden demise of the husband of the writ petitioner, the family of the writ petitioner is in penurious circumstances and they are not in a position to lead even the normal life as the husband of the writ petitioner was the sole breadwinner of the family. Under these circumstances, the writ petitioner submitted an application, seeking appointment on compensate grounds on 19.06.2017, the same is yet to be considered by the respondents.

3. The Scheme of compensate appointment is implemented in order to mitigate the emergency circumstances arising on account of the sudden demise of an employee. Thus, the scheme of compensate appointment is to be extended without any enormous delay on the part of the authorities competent. As far as possible, the appointment on compensate appointment grounds must be provided, within the reasonable period of time to the legal heirs of the deceased employee.

4. This being the principles to be followed, the present writ petition, deserves consideration. Accordingly, the 2nd respondent is directed to consider the representation/application submitted by the writ petitioner for compensate appointment on 19.06.2017, on merits and in accordance with law and pass orders, within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to submit proper application, seeking compensate appointment with all relevant and necessary documents, as per the prescribed format along with the order passed in the present writ petition.

5. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

svn/kmm

To

1.The Secretary

The Government of Tamil Nadu
Home (Transport) Department
Fort St.George
Chennai - 600 009.

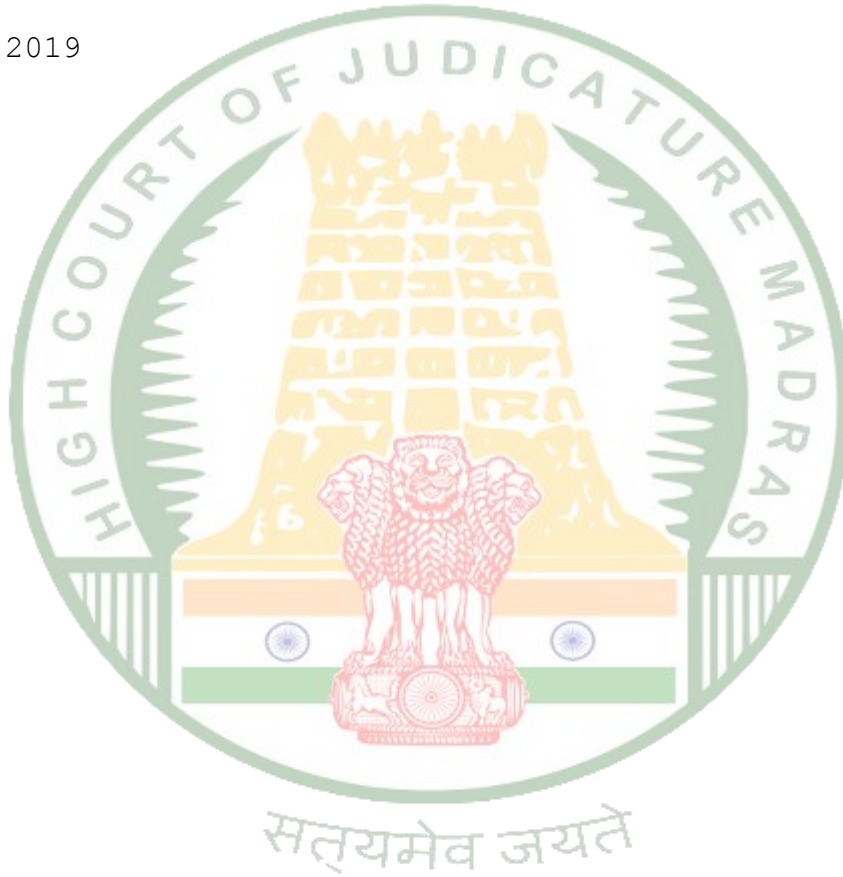
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2.The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region
Dharmapuri.

+1 cc to The Government Pleader, Sr.No.17608
+1 cc to M/s.J.Hema Malini, Advocate Sr.No.16821

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PA (CO)
CSL/26.03.2019



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